

BAKER & DANIELS



AF *W*
300 N. Meridian, Suite 2700
Indianapolis, Indiana 46204
(317) 237-1194

PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Group: 2165 }
Atty. Docket: HIL-P005-05 }
Applicants: Hill }
Invention: ELECTRONIC CATALOG }
SYSTEM AND METHOD }
Serial No.: 09/618,744 }
Filed: July 18, 2000 }
Examiner: Garg, Yogesh C. }

Certificate Under 37 C.F.R. § 1.8(a)

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to the Commissioner for Patents, , P. O. Box 1450, Alexandria, VA 22313-1450.

on April 6, 2005

Timothy E. Niednagel
Timothy E. Niednagel

NOTICE OF APPEAL

Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Dear Sir:

Applicant hereby appeals to the Board of Patent Appeals and Interferences from the Office Action mailed October 6, 2004, which rejected claims 53-76 of the above-identified application. Although the October 6, 2004 action is not final, the Examiner has now rejected the independent claims of this application three times in view of the combination of U.K. Patent Application No. 2 203 571 to Benson combined with U.S. Patent No. 5,388,211 to Hornbuckle. Applicant notes that original independent claims 1 and 18 are now renumbered as claims 53 and 70, respectively.

Certain claim limitations in this pending application are similar to claim limitations at issue in pending litigation in the matter of Charles E. Hill & Associates, Inc. v. Amazon.com, et al., Civil Action No. 2:02-CV-0186, in the Eastern Division of Texas. A claim construction hearing is scheduled for August 19, 2005. An order from the Court on claim construction may be relevant to the present application.

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250.00 OP

Applicant submits herewith, a check in the amount of \$250.00, which covers the fee required by 37 C.F.R. §41.20(b)(1). If the enclosed remittance is insufficient, please charge any additional amount required to Deposit Account No. 02-0390, Baker & Daniels.

Respectfully submitted,

BAKER & DANIELS LLP

A handwritten signature in black ink, appearing to read "Timothy E. Niednagel", is written over a horizontal line.

Timothy E. Niednagel
Reg. No. 33,266